

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA

Plaintiff,
v.
Case Number 06-20198-BC
Honorable David M. Lawson

MAGUS SAINT SUTTON,

Defendant.

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**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION**

A plea hearing was conducted on June 13, 2006 by Magistrate Judge Charles E. Binder pursuant to the defendant's consent. The magistrate judge issued his report on June 15, 2006 recommending that this Court accept the defendant's plea of guilty. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C); thus, further appeal rights are waived. The failure to object to a magistrate judge's report releases the Court from its duty to independently review the proceedings. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation [dkt # 35] is **ADOPTED**, the defendant's plea of guilt to the charges set forth in the indictment is **ACCEPTED**, and the Rule 11 Plea Agreement [dkt # 34] is taken **UNDER ADVISEMENT**.

s/David M. Lawson _____
DAVID M. LAWSON
United States District Judge

Dated: July 6, 2006

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on July 6, 2006.

s/Tracy A. Jacobs _____
TRACY A. JACOBS